

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JONATHAN WENDER,

Plaintiff,

v.

SNOHOMISH COUNTY, et al,

Defendants.

C07-197Z

NOTICE OF CONSTITUTIONAL
CHALLENGE PURSUANT TO
FED. R. CIV. P. 5.1(b) AND
ORDER RENOTING MOTIONS
TO DISMISS.

This matter comes before the Court on Plaintiff's Motions to Dismiss, docket nos. 20 and 21. Plaintiff's Motion to Dismiss Defendant Rider's Counterclaim under RCW § 4.24.350, docket no. 20, alleges RCW § 4.24.350 "is unconstitutional as impermissible viewpoint discrimination and is preempted by federal law." See Motion to Dismiss, docket no. 20, at 1. Plaintiff's Motion to Dismiss Defendant Rider's Counterclaim and Affirmative Defenses under RCW § 4.24.510, docket no. 21, argues that RCW § 4.24.510 is preempted by the Supremacy Clause and unconstitutional as applied to federal civil rights claims. See Second Motion to Dismiss, docket no. 21, at 1.

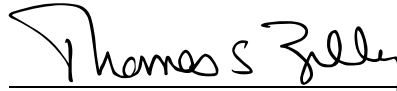
Pursuant to Rule 5.1(b) this Court hereby certifies to the Washington State Attorney General that there is a constitutional challenge to a state statute in this case. The attorney general shall have 30 days to intervene in the case. The Court directs the Clerk to send a

1 copy of this Order to the Office of the Attorney General, 1125 Washington St. SE, PO Box
2 40100, Olympia, WA 98504-0100.

3 The Court RENOTES Plaintiff's Motions to Dismiss, docket nos. 20 and 21, for
4 consideration on Friday, August 17, 2007.

5 IT IS SO ORDERED.

6 DATED this 13th day of July, 2007.

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9 Thomas S. Zilly
10 United States District Judge
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